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STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

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DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2011 - 10

EFFECTIVE: December 29, 2010

DATE: December 13, 2010

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Patricia L. Caruso, Director

SUBJECT: Prisoner Transfers from the Pennsylvania Department of Corrections under the Interstate Corrections Compact

SUPERSEDES DOM 2010 - 12 (effective 02/17/10)

Male prisoners under the jurisdiction of the Pennsylvania Department of Corrections (PDOC) are being transferred to the Muskegon Correctional Facility (MCF) pursuant to an agreement between PDOC and the Michigan Department of Corrections ("Department") under the Interstate Corrections Compact. Each PDOC prisoner transferred to MCF shall be issued a gray prisoner identification card and assigned a unique Department number. PDOC prisoners shall be processed at MCF in accordance with instructions issued by the MCF Warden; however, the prisoners shall not be screened for security classification or risk classification during their placement at MCF.

PDOC has designated a Michigan Contract Liaison, who will act as the liaison between PDOC and the Department. The Contract Liaison may attend any meeting, training session, hearing, or inspection being held at MCF and shall have access to all documents pertaining to prisoners housed at MCF. The Contract Liaison shall be a member of the MCF Community Liaison Committee.

All Department policies and procedures will apply to PDOC prisoners while at MCF except as specifically set forth in this Director's Office Memorandum and as provided for in the agreement entered into between PDOC and the Department. The MCF Warden shall issue instructions or develop additional institutional procedures as needed to implement this Director's Office Memorandum and the agreement between the Department and PDOC.

Personal Property

PDOC prisoners at MCF are authorized to possess the same personal property as set forth for security Level II prisoners under PD 04.07.112 "Prisoner Personal Property" and other property as specifically approved by the Deputy Director of Correctional Facilities Administration (CFA); they also are

authorized to possess property which was purchased in accordance with PDOC policy unless the item is considered a threat to the custody and security of the institution, as determined by the CFA Deputy Director of Correctional Facilities Administration. All authorized property must fit within one duffle bag and, if purchased by the prisoner, one footlocker as set forth for security Level II prisoners in PD 04.07.112 except for allowable excess legal property; hearings on excess legal property shall be conducted as directed by the Administrator of the Office of Legal Affairs. Additional restrictions on property as set forth in PD 04.07.112 also apply unless otherwise directed in writing by the CFA Deputy Director or designee.

Visiting

PDOC prisoners may have on-site visits as set forth in PD 05.03.140 "Prisoner Visiting". They also shall be permitted to visit via video conferencing equipment installed at MCF and at sites in Pennsylvania as designated by PDOC. Video visits also are subject to PD 05.03.140 except as otherwise provided by the CFA Deputy Director or designee.

The Administrator of the Office of Legal Affairs shall be contacted if there is a need to conduct a visitor restriction hearing; the hearing shall be conducted as directed by the Administrator of the Office of Legal Affairs.

Prisoner Funds

PDOC prisoners shall have an institutional trust account from which they may purchase or order goods or services as set forth in PD 04.02.105 "Prisoner Funds". Funds also shall be credited to the account as set forth in PD 04.02.105. Funds shall be removed from the trust account, including for payment of debts incurred while at MCF, as set forth in PD 04.02.105; however, funds also shall be removed as directed by PDOC for payment of debts for which the prisoner is obligated as a PDOC prisoner, including payments required under Pennsylvania law and court order.

PDOC permits prisoners to maintain a savings account. PDOC prisoners who had a savings account prior to transfer to MCF shall be permitted to keep it but deposits to and withdrawals from that account are subject to approval by the CFA Deputy Director or designee after consultation with the Michigan Contract Liaison. PDOC prisoners shall not be permitted to open a new savings account while at MCF.

Funds loaned to a prisoner under Department policy which have not been repaid in full at the time the prisoner returns to PDOC shall be forwarded to PDOC for collection on behalf of the Department.

Mail

PDOC prisoners may send and receive mail as set forth in PD 05.03.118 "Prisoner Mail". In accordance with PDOC policy, PDOC prisoners may not send to or receive mail from another prisoner, a former prisoner, a parolee, a probationer, or a co-defendant unless approved by the Michigan Contract Liaison. Correspondence with a prisoner in a Department facility also requires approval of the MCF Warden.

Access to Courts

PDOC prisoners shall have available for use an electronic law library collection provided by PDOC as well as legal publications provided by PDOC. They also shall have available to them legal publications from the Department's mandatory law library collection as needed. PDOC prisoners may be provided access to the Department's mandatory law library collection through the MCF law library or through loans from other Department law libraries.

PDOC prisoners will not be provided services through the Legal Writer Program.

Discipline

PDOC prisoners are required to comply with all rules and regulations of the Department and are subject to discipline for misconduct as set forth in PD 03.03.105 "Prisoner Discipline". Class I misconduct hearings, however, are not required to be conducted by a hearing officer of the State Office of Administrative Hearings and Rules. Class I misconduct hearings therefore will be conducted by staff designated by the Administrator of the Office of Legal Affairs, after consultation with the MCF Warden. The hearings shall be conducted in accordance with Administrative Rule 791.3315. PDOC prisoners found guilty of a Class I misconduct may file a Request for Rehearing as set forth in PD 03.03.105.

Grievances

PDOC prisoners may file a grievance under PD 03.02.130 "Prisoner/Parolee Grievances" only for issues regarding their care and treatment by the Department. PDOC prisoners shall use the PDOC grievance process to file a grievance against PDOC. If a PDOC prisoner files a grievance under PD 03.02.130 regarding PDOC, the grievance shall be rejected and the prisoner directed to contact the Michigan Contract Liaison.

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